IN THE HIGH COURT OF JUDICATURE, CHHATISGARH AT BILASUR.

WRIT PETITION NO. 3400 OF 2006. SINGLE BENCH

PETITIONER

Harish Chandra Pase,
S/O Late Shri Ramadhin Pase,
Retired Meter Reader
[redacted],
R/o HIG-6, Arya Colony,
Tifra,
Bilaspur.
Bilaspur Dist
C.G. State.

P.R. No. 3468/06
Presented by Shri Rajendra Kumar
dated 10/7/06

VERSUS

RESPONDENTS.

1. C.G.State Electrcity Board,
Through Chairman
CG State Electricity Board,
Raipur.
C.G.State.

2) Chief Engineer(O&M)
CG State Electricity Board,
Bilaspur.
C.G. State.

3) Executive Engineeer,
C.G.State Electricity Board,
Manendragarh,
Korea Dist.
CG State.

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT (S) / ORDER (S) / DIRECTION (S), ETC.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.(C) No.3400/06 **सन्** **200**

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..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	12.07.2006. Mr. K.R. Nair, learned counsel for the petitioner. Mr. Pawan Shrivastava, Advocate takes notice on behalf of Mr. A.S. Gaharwar, learned counsel for the respondent/Board. Heard. By this writ petition under Articles 226/227 of the Constitution of India, the petitioner has prayed for a direction to the respondent/Board for payment of the retiral benefits due to him with interest at the prevailing market rate. The case of the petitioner is that the petitioner was working as meter-reader in the erstwhile Madhya Pradesh Electricity Board at Jabalpur and he was allocated, after bifurcation of the Madhya Pradesh Electricity Board, to Chhattisgarh State Electricity Board. The petitioner took voluntary retirement after completion of twenty five years of service on 25.11.1999. The respondents accepted the application of the petitioner for retirement vide order dated 06.09.2005 w.e.f. 25.11.1999. Thereafter the respondents were required to pay all retiral benefits to the petitioner. The pension was calculated and paid to the petitioner on 31.01.2006, but, the benefits namely, gratuity and GPF for which the petitioner is entitled, has not yet been paid to him. The petitioner served legal notice to respondent No.2 on 20.05.2006 for payment of the said amount with interest @ 24% per annum. Even after receipt of the notice, the respondents are not passing any order for the said payment. The Chief Engineer has also been given a direction to the Executive Engineer to pay the retiral benefits to the petitioner and then the petitioner was informed that the pass book is not available and missing as reported by respondent	

(पीछे देखिये)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No. 3400/06 सन् 200

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..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

No.3. Therefore, they are not releasing the final payment of the petitioner due to him.

Learned counsel for the petitioner submitted that the respondents be directed to decide the representation and notice of the petitioner and pass appropriate order regarding payment of the GPF and gratuity amount as admissible to the petitioner to which learned counsel for the respondents has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, without expressing any opinion on merits of the case, the limited prayer laid by the learned counsel for the petitioners appears to be just, fair and reasonable. Therefore, respondent No.2 is directed to get the case of the petitioner regarding entitlement of the GPF and gratuity amount examined and the amount of GPF and gratuity as admissible to the petitioner be paid within a period of thirty days from the date of receipt of a copy of this order with interest at the prevailing rate.

Sd/-
L.C. Bhadoo
Judge

Brajesh

(पीछे देखिये)

1/8/06 21/8/06